

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>CARTER P. and SARAH REESE</b>	<b>:</b>	<b>CIVIL ACTION</b>
<b>(HUSBAND AND WIFE),</b>	<b>:</b>	
<b>Plaintiffs</b>	<b>:</b>	
	<b>:</b>	
<b>vs.</b>	<b>:</b>	<b>NO. 14-5715</b>
	<b>:</b>	
<b>POOK &amp; POOK, LLC, et al.,</b>	<b>:</b>	
<b>Defendants</b>	<b>:</b>	

**ORDER**

**AND NOW**, this 19<sup>th</sup> day of December, 2017, upon consideration of the Pook & Pook Defendants' motion to dismiss (Document #91), the response of the plaintiffs in opposition thereto (Document #93), and the Pook & Pook Defendants' reply brief (Document #97), IT IS HEREBY ORDERED that the motion is GRANTED in part and DENIED in part, as follows:

1. The motion to dismiss Counts I and II is DENIED.
2. The motion to dismiss Count III is GRANTED as to the corporate defendant only, but DENIED as to the individual Pook Defendants.
3. The motion to dismiss Count IV is GRANTED as to the individual Pook defendants, but DENIED as to the corporate defendant.<sup>1</sup>
4. The motion to dismiss Count V is GRANTED as to the moving defendants only.

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, C. J.

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<sup>1</sup> Count IV alleges a breach of contract under two separate theories. The motion to dismiss under the sub-claim of good faith and fair dealing against the corporate defendant is denied, but the motion under the sub-claim of dishonesty in fact against the corporate defendant is granted.